

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

*IN RE* ROMAN CATHOLIC ARCHBISHOP,  
OF PORTLAND IN OREGON and KS

3:16-MC-459-PK

OPINION AND  
ORDER

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SIMON, District Judge;

PAPAK, Magistrate Judge:

This action was filed September 13, 2016, for the sole purpose of obtaining the court's approval of a settlement subject to the future claims trust provided for in the Third Amended and Restated Joint Plan of Reorganization (the "Plan") confirmed in *In re Roman Catholic Archbishop of Portland ("RCAP")*, 04-37154. This court has jurisdiction over this action pursuant to 28 U.S.C. § 1334(b), based on the relatedness of these proceedings to *RCAP*, a case arising under Title 11 of the United States Code. The Plan sets a \$20 million cap on the total funds available to pay all claims made against the Archdiocese through 2023. Now before the court is the unopposed motion (#1) filed by Roman Catholic Archbishop of Portland in Oregon

(the "Archbishop") for approval of the settlement of the dispute between the Archbishop and interested party/claimant KS, and to approve payment from the future claims trust. For the reasons set forth below, the motion is granted and the settlement is approved.

The parties report the settlement of their dispute. Under the terms of the reported settlement, KS will receive \$2,350 from the future claims trust. Pursuant to section 6.4.5 of the Plan, the parties' settlement (and therefore payment to KS out of the future claims trust) is subject to this court's approval.

Section 11.8 of the Plan requires that notice of any motion to approve a settlement subject to the future claims trust be served on all plaintiffs with pending or otherwise unpaid claims against the Archdiocese and Archbishop, Future Claimants Representative David A. Foraker, and Known Tort Claims Trustee and Future Claims Trustee Union Bank of California. Section 11.8 further provides that all notified parties must be provided at least 20 days (plus an additional 3 days if notice is served by mail) in which to file objections, if any, to any such motion.

On September 13, 2016, the Archbishop served the requisite notice by mail on all of the necessary parties. The period for filing objections to this court's approval of the parties' settlement lapsed October 6, 2016. No objection to this motion has been filed.

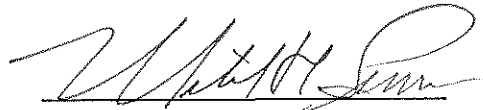
In the absence of objection by any interested party, and in consideration of the size of the payment at issue relative to the amount remaining in the future trust fund, the undersigned find no reason exists to refuse approval of the parties' settlement. The Archbishop's motion is therefore granted, and the subject settlement approved.

### **CONCLUSION**

For the reasons set forth above, the motion (#1) to approve the settlement of KS's claims

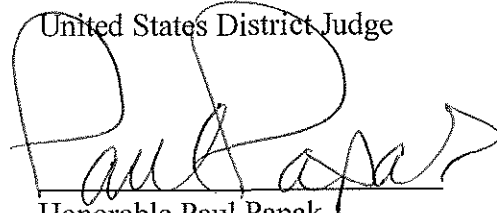
against the defendants and to approve payment from the future claims trust is granted, the settlement agreed to by the parties is approved, and payment to KS of \$2,350 from the future claims trust is authorized.

Dated this 7th day of October, 2016.

A handwritten signature in black ink, appearing to read "Michael Simon", written over a horizontal line.

Honorable Michael Simon

United States District Judge

A handwritten signature in black ink, appearing to read "Paul Papak", written over a horizontal line.

Honorable Paul Papak

United States Magistrate Judge